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PATENT
Attorney Docket 051530-5008

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Vernon L. Alvarez *et al.***

Application No. **10/522,810**

International Filing Date: **June 2, 2003**

Date of Entry into U.S. National Stage: **January 31, 2005**

Examiner: **Not Assigned**

Art Unit: **1646**

For: **Treatment of Cell Proliferative Disorders With Chlorotoxin**

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 forms. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due with the filing of this paper.

Copies of the listed documents are attached. The present application is a U.S. National Phase Application of International Patent Application PCT/US03/17411 (filed June 2, 2003). Documents aa, ag, and aj were cited in the International Search Report which issued in International Patent Application PCT/US03/17411.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

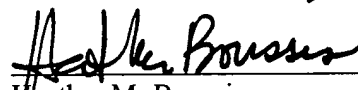
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by

this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **September 20, 2005**
Morgan, Lewis & Bockius LLP
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Respectfully submitted,
Morgan, Lewis & Bockius LLP

A handwritten signature in black ink, appearing to read "Heather M. Boussios", is written over a horizontal line.

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449				Attorney Docket 051530-5008		Application No. 10/522,810	
				Applicants: Vernon L. ALVAREZ et. al.		Page 1 of 2	
				Date Entry into U.S.: January 31, 2005		Group Art Unit: 1646	

U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	aa	6,028,174	02/22/2000	Ullrich <i>et al.</i>			
	ab	5,756,340	05/26/1998	Hammock <i>et al.</i>			
	ac	5,750,376	05/12/1998	Weiss <i>et al.</i>			
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	ai	6,319,891	11/20/2001	Sontheimer <i>et al.</i>			
	aj	US 2002/0065216	05/30/2002	Sontheimer <i>et al.</i>			

FOREIGN PATENT DOCUMENTS							
		Document No.	Date	Country	Class	Sub-Class	Translation
	ak	WO 97/24619	07/10/1997	PCT			

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	al	Baker (1991) Effects of an epithelial Cl ⁻ channel blocker on whole cell voltage clamp and patch clamp recordings from a human astrocytoma in culture, <i>J. Physiol.</i> 438:128-129
	am	Brismar <i>et al.</i> (1989) Inward rectifying potassium channels in human malignant glioma cells, <i>Brain Res.</i> 480:249-258
	an	Brismar <i>et al.</i> (1989) Potassium and sodium channels in human malignant glioma cells, <i>Brain Res.</i> 480:259-267
	ao	Chiu <i>et al.</i> (1989) The role of potassium channels in Schwann cell proliferation in Wallerian degeneration of explant rabbit sciatic nerves, <i>J. Physiol.</i> 408:199-222
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	at	Goldstein <i>et al.</i> (1986) The Blood Brain Barrier, <i>Sci. Am.</i> 255:74-83
	au	Gray <i>et al.</i> (1986) A voltage-gated chloride conductance in rat cultured astrocytes, <i>Proc. R. Soc. Lond.</i> 228:267-288
	av	Grissmer <i>et al.</i> (1993) Calcium-activated potassium channels in resting and activated human T lymphocytes, <i>J. Gen. Phys.</i> 102:601-630
	aw	Hosli <i>et al.</i> (1990) Evidence for GABA-B receptors on cultured astrocytes of rat CNS: autoradiographic binding studies, <i>Exp. Brain. Res.</i> 80:621-625

Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449		Attorney Docket 051530-5008 Applicants: Vernon L. ALVAREZ et. al. Date Entry into U.S.: January 31, 2005	Application No. 10/522,810 Page 2 of 2 Group Art Unit: 1646
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)			
	ax	Huang <i>et al.</i> (1994) Potassium channel induction by the Ras/Raf signal transduction cascade, J. Biol. Chem. 269:31183-31189	
	ay	Jalonen (1993) Single-channel characteristics of the large-conductance anion channel in rat cortical astrocytes in primary culture, Glia 9:227-237	
	az	Kunwar <i>et al.</i> (1993) Cytotoxicity and antitumor effects of growth factor-toxin fusion proteins on human glioblastoma multiforme cells, J. Neurosurg. 79:569-576	
	ba	Nilius <i>et al.</i> (1992) Potassium channels and regulation of proliferation of human melanoma cells, J. Physiol. 445:537-548	
	bb	Pappas <i>et al.</i> (1994) Reduction of glial proliferation by K ⁺ channel blockers is mediated by changes in pH _i , NeuroReport 6:193-196	
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	be	Puro <i>et al.</i> (1989) Retinal glial cell proliferation and ion channels: A possible link, Invest. Ophthalmol. Vis. Sci. 30:521-529	
	bf	Sakamoto <i>et al.</i> (1996) Identification of a new outwardly rectifying Cl ⁻ channel that belongs to a subfamily of the CIC Cl ⁻ channels, J. Biol. Chem. 271:10210-10216	
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	bk	Steinmeyer <i>et al.</i> (1995) Cloning and functional expression of rat CLC-5, a chloride channel related to kidney disease, J. Biol. Chem. 270:31172-31177	
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	bp	Wilson <i>et al.</i> (1993) Mitogenic factors regulate ion channels in Schwann cells cultured from newborn rat sciatic nerve, J. Physiol. 470:501-520	
	bq	Woodfork <i>et al.</i> (1995) Inhibition of ATP-sensitive potassium channels causes reversible cell-cycle arrest of human breast cancer cells in tissue culture, J. Cell. Physiol. 162:163-171	
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